THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION NO:9296 OF 2005

DATED.20.08.2005

Between:

Bahbood Ali, S/o.Hashim Ali,

Aged about 65 years, Occ: Retd. Employee,

R/o.17-8-533/70, Baga-jaha-Ara,

Yakhutpura, Hyderabad.

……PETITIONER

AND

The Divisional Engineer, M.R.T., APCPDCL,

Mint Compound, Hyderabad and another.

……RESPONDENTS

THE HON'BLE MR JUSTICE S. ANANDA REDDY

WRIT PETITION NO.9296 OF 2005

ORDER

This Writ Petition is filed by the petitioner seeking writ of Mandamus declaring the action of the respondents in not releasing the terminal benefits and pension, as illegal, arbitrary and violative of the provisions of Constitution of India, and consequently sought for a direction to the respondents to release the terminal benefits as well as the pension of the petitioner.

It is stated that the petitioner joined the service of the erstwhile Andhra Pradesh State Electricity Board as Wireman on 15.3.1962. Thereafter he was promoted as Line Inspector on 22.9.1969 and further worked as Foremen Grade-II from 6.12.1978, the date of his promotion to the said post. It is stated that on medical grounds, the petitioner applied for voluntary retirement on 24.6.1992. Thereafter, the respondents did not pass any orders on the said application, but, however, the petitioner attained the age of superannuation by 10.6.1998. Even by that date also the respondents did not pass any orders on the premise that the file of the petitioner was not available. It is further stated that the petitioner made repeated representations seeking terminal benefits as well as pension and the last of the representation is dated 6.2.2004. As no action was taken by the respondents, the petitioner has come up with the present Writ Petition.

Though this Writ Petition was filed in the month of April, 2005 the respondents did not file any counter affidavit. Today when the matter came up for hearing, the learned Standing Counsel for the respondents represented that he received a communication stating that the file was not available and therefore, sought for further time.

Under the above circumstances and after hearing the learned counsel for the petitioner, the Writ Petition itself is disposed of directing the respondents to pass appropriate orders on the representation of the petitioner for releasing the terminal benefits as well as pension expeditiously, preferably within a period of four (4) weeks from the date of receipt of the copy of the order.

_____

S. ANANDA REDDY,J

20TH AUGUST 2005

Tsr